

FILED

UNITED STATES COURT OF APPEALS

SEP 26 2016

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

PEYMON MOTTAHEDEH and APRIL
MOTTAHEDEH,

Petitioners-Appellants,

v.

COMMISSIONER OF INTERNAL
REVENUE,

Respondent-Appellee.

No. 16-71381

Tax Ct. No. 22039-11

ORDER

Before: WARDLAW, CALLAHAN, and N.R. SMITH, Circuit Judges.

Appellee's motion to dismiss this appeal as premature is granted (Docket Entry No. 8). *See* Fed. R. App. P. 13(a)(1)(B) (filing of timely motion to vacate Tax Court decision tolls time to file notice of appeal) and 14 (provisions of Fed. R. App. P. 4 do not apply to appeals from Tax Court). Appellants' request to stay this appeal or to dismiss with instructions for later reinstatement is denied (Docket Entry No. 10). Accordingly, this appeal is dismissed.

DISMISSED.